

Message

From: Mosby, Jackie [Mosby.Jackie@epa.gov]
Sent: 7/22/2020 9:41:27 PM
To: Messina, Edward [Messina.Edward@epa.gov]; Goodis, Michael [Goodis.Michael@epa.gov]
CC: Layne, Arnold [Layne.Arnold@epa.gov]; Herndon, George [Herndon.George@epa.gov]; Alyafi, Imad [alyafi.imad@epa.gov]; Jewell, Shannon [jewell.shannon@epa.gov]; Dinkins, Darlene [Dinkins.Darlene@epa.gov]; McKamey, Ann [McKamey.Ann@epa.gov]
Subject: Agenda for FEAD's General on 7/23/2020
Attachments: RE: C&T State Certification Plans

Hi Mike,

Attached is the agenda for my general tomorrow. I have identified items for your input in yellow, and other updates are in red. I have also attached the status of worker issues from this week's meeting. Please let me know if you have questions or want to discuss other items. Thanks, Jackie

FEAD AGENDA – 7/23/20 General

Items for OPP IO Decision/Input

- Feedback from Ed's conversation with Liza last Friday regarding AAPCO label improvement initiative?
- OPP IO feedback on AAPCO request to extend CAG 3-week review period by 3 weeks to account for COVID-19 issues and WSU's 3 furlough days? OPP/OECA team recommends no more than a 1-week extension due to scheduling constraints associated with making timely corresponding changes to FIFRA Grant Database (requires contractor support for system coding). Any major changes should have been surfaced already through pre-SFIREG meetings, etc.
- Petition Acknowledgement Letters—Current PRSB process is to draft a brief acknowledgement letter for OPP-IO OD signature within 14 days of receipt that acknowledges receipt of a petition and is sent via email. OGC has confirmed this is not required and typically the email recipient of the petition acknowledges receipt much quicker. Is OPP-IO okay with PRSB moving to an email acknowledgement for new petitions? Or alternatively sending letters just for those that request rulemaking and get posted for public comment?
- CWPB- presentation for Monthly Ag Forum – a couple slides on RFA pulled from publicly available information. However, there may be a couple participants from federal agencies, so checking what level of review (CWPB proposed BC-level review for this content).
- A3 – survey questions to collect baseline data and inform troubleshooting methods to be sent to 150 participants (state, tribal, federal co-regulators). Will go through OMB review (paperwork reduction act). What level of review do survey questions need? FEAD proposes OPP IO level review.
- USDA Notification—Will the OPP-IO be giving a heads up to Sheryl Kunickis on the Chitosan proposed rule and PIPs rule heading to USDA soon? Please let us know if anything is needed. Also, there is a question for USDA of the process for formal submission. We need a formal confirmation that an email submission is acceptable (assuming they do not want us to mail due to the pandemic). FEAD can reach out to Sheryl on the process question if needed.
- Crop Group Phase 5 Update-the workgroup is preparing a one pager on the possible inclusion of hemp seed to this crop group.
- Test Guidelines Non-Significance- RICS has indicated that the draft test guidelines (fire ants & pests of pets) must go to OMB for a significance determination. This would be precedent-setting for OPP, and likely impact the ability to meet statutory deadlines set by PRIA Does the OPP-IO want to discuss further?

Comms

- COVID-19 check-in

Certification of Applicators – Certification Plans

- COVID-19 -gone through OMB reviews (two); revised in response to DOJ comments; awaiting 2nd round of comments

- Complete check reviews of submitted plans – phase ended 7/7/20; CWPB sent completion check letters to all federal plans. Starting to work on detailed reviews of plans. Virgin Islands plan in an expedited review (special circumstances)

PREP

Revised 2020 PREP Course Line-up

- Compliance & Enforcement Management PREP - August 24-27, 2020 – Davis, CA
- Comprehensive Combo PREP - September 14–17, 2020, - Davis, CA (rescheduled from March)
- Senior Executive Program Management PREP – October 20-22, 2020 – Davis, CA
- Registration & Re-evaluation PREP – November 16-19, 2020 – Arlington, VA (rescheduled from May)

EPA HQ/Regions

Rules, Policies, Audits, Petitions, ICRs

- WPS AEZ rulemaking: Workgroup closure ended 6/9; concurrence from OP, OGC (with comments that were addressed at time of revisions), ORD, R5, R9, OCHP, and OECA (with comments that are not able to be addressed at this time – highlights 2 areas with compliance concerns). During the past month, worked through senior management input on the criteria for determining AEZ size (deleted droplet size), and immediate family (added handlers); OGC input received by 7/22/20; CWPB incorporated edits

| Documents sent to RICS | Date Sent to RICS | Date Sent to OMB | Comments |
|--------------------------------------|-------------------|------------------|------------------------------------|
| RA Review Notification FRN: Chitosan | 5/5/2020 | n/a | Scheduled for publication 8/3/2020 |
| RM: Product Performance | 6/11/2020 | ~7/29/2020 | A review. |
| Consolidated ICR | 7/2020 | n/a | publication week of 7/27 |
| OB Review: Draft PRN | | | Final submission to RICS. |
| OB NSD Briefing-Acute Dermal Waiver | | | Final submission to RICS. |

- Crop Group V Final Rule:
 - Addressing new hemp seed issue. Expecting to send to OPP-IO with hemp seed one pager the week of 7/27/
- CDA Regulatory Relief Letter- Response requested by 8/1/2020. AD sent one pager to OPP-IO 7/20/22.
- Minimum Risk ANPRM- Workgroup meeting again on 7/23. Draft ANPRM and OMB NSD request expected to route for review mid-August. Publication set to follow after Chitosan Proposed Rule.

SOPs – in development

- Preparation of OMB Non-Significance Determinations (NEW, updating 6/5/2020 draft)
- Petition Process (Updating with OGC to include data compensation petitions)
- Audit Coordination Process (update in progress)

Draft

Framework: https://usepa.sharepoint.com/:w:/r/sites/OPP_FEAD_Staff/FEAD%20Managers/OPP%20FEAD%20Work%20Product%20Review%20SOP_DRAFT_13FEB2020.docx?d=w4f9b46a3dcf04c04bfe027b07f470a7f&csf=1&web=1&e=2h8IKb

Grants & Contracts:

- Hispanic Communications Network (HCN) – See attached status from Weekly WPS/C&T meeting; OPA approved scripts (but need to submit recordings once developed from the scripts). Anticipate submission of material for OPP IO review.
- Causeway– See CWPB Weekly Update; Posters approved by OPA (but need to submit for review once developed)

- RFA for National Farmworker Training Program RFA (EPA-HQ-OPP-2019-004) (old AFOP) – with Grants to be processed for funding by end of FY. Do not expect drawdowns until 2021 because current agreement in a no-cost extension to finalize the project (delays due to COVID-19)
- RFA development for new PERC – Funding recommendation and Commitment notice (IGMS) published; OPP update sent out. Plan to present to Ag Forum on 7/23.
- TPPC award
 - Grantee still addressing last round of budget comments from EPA and is aware that taking more time is jeopardizing timely award and a gap in TPPC grant continuity. Funding Recommendation is ready to move once we have grantee's 1- and 5-year budgets.

International -

- FPAS
 - GISB briefed FEAD IO on 6/16 on proposal to incorporate submission/notification into CDX. Next steps are to further investigate ICR requirements prior to soliciting \feedback from OPP IO at a future FEAD general or stand-alone meeting.
- Glyphosate News in Vietnam -- ban won't affect import/MRLs
 - On June 10, 2020, Vietnam's SPS Office in the Ministry of Agriculture and Rural Development responded to USDA FAS's WTO Notification G/SPS/N/VNM/110 comment dated February 14, 2020. In the letter, Vietnam's Ministry confirmed that glyphosate MRLs will not be impacted in their ban, and thus the ban will not affect imported food commodities in any way. FAS is certain that joint efforts from both EPA and USDA had a significant role in this.
- Gold Seal
 - The electronic Gold Seal letters are being declined by State Department. We have reached out to State Department and also attempted locating a second contact through industry but have not had success. Ashley is raising this issue to Alex and the next step will for an upper level manager to reach out to State Department to make contact on the issue. It is expected that the lack of response is due to current staffing issues at State.
- Italy Inquiry
 - This response was drafted by our team, Alex suggested that Ed send the response (Melissa e-mailed Ed on 6/23).
- GISB's Brazil presentation
 - On June 19, 2020, FEAD presented to Brazil's High-Level Cooperation and Coordination Working Group (HLCCWG) via a video teleconference hosted by USDA's Foreign Agricultural Service. Topics included a general overview of EPA's Office of Pesticide Programs, pesticide legislation, as well as OPP's registration and reevaluation processes. The HLCCWG was formed as part of the U.S.-Brazil Consultative Committee on Agriculture as a regular, informal setting for officials from the U.S. and Brazil to identify and discuss issues of mutual interest for collaboration and cooperation. OPP expects to participate in future technical exchanges to continue to build Brazil's pesticide program.
- HED's Anticipated Engagement with Brazil (ANVISA)
 - Corteva sent a request to Anna Lowit asking if OPP can provide a webinar to the Brazilian Health Regulatory Agency ANVISA on EPA's approach to determining endpoint selection and uncertainty factors. Since Brazil's new regulation included risk assessment for the first time in contrast to cut-off criteria, yet they have no guidance on these topics, the technical group of CropLife Brazil (CLB) identified these as training needs. FEAD has agreed to coordinate. HED's Liz Mendez will virtually present on these topics to CLB toxicologists and ANVISA in August (date TBD).
- JMPM
 - EPA participating in 7/24/20 intersessional call on proposed guidance on monitoring the code of conduct to ensure JMPM does not become an adjudicatory body for perceived non-compliance with the voluntary code.

States and Tribes:

- FY22-25 Cooperative Agreement Guidance
 - Draft CAG document sent to states/tribes for 3-week review 6/16/20.

- Draft includes updates to water quality section requiring water monitoring activities to be reported in FIFRA grants database (not POINTS).
- AAPCO has requested to extend CAG 3-week review period by 3 weeks to account for COVID-19 issues and WSU's 3 furlough days.
 - OPP/OECA team recommends no more than a 1-week extension due to scheduling constraints associated with making timely corresponding changes to FIFRA Grant Database.
- Signed 7/22/20: Joint OPP/OECA letter notifying regional POs that all grantee activities must be captured in the FIFRA grant database starting in FY22 (including information previously captured in POINTS).
- **POINTS**
 - Meeting with OW moved to August to account for OW availability. Will discuss existing water quality repositories and potential overlap with or utility for state pesticide monitoring.
- **SFIREG**
 - Label Improvement Project
 - EPA participants continue to engage; feedback from Ed's conversation with Liza last Friday?
 - Updates on issue papers
 - Impurities/contaminants:
 - Per 5/21/20 OPP IO and DD briefing, FEAD engaged SFIREG and AAPCO leadership to gauge receptiveness to draft response. Consensus from state participants was that this approach would be well received, particularly if EPA were to deliver on lab testing, while maintaining that the request still stands for EPA to update the PRN.
 - 6/11/2020 – Met with BEAD DD/ADD and Fort Meade Lab reps to discuss lab capacity: BEAD was confident in their ability and capacity once resources are less focused toward Covid-19 related testing. EPA and SFIREG will need to work out details and expectations for number of samples and timing.
 - 7/21/2020 – Routing final draft response to issue paper to team prior to routing for signature (still targeting July 2020 for Ed's signature).
 - Cover crops and plant-backs: Working with internal work group to draft a response.
 - Devices in public health settings: AD/FEAD developing one-pager for options and recommendations. Raised awareness with regions via monthly OPP/OECA call 2/19/20; on hold while dealing with COVID-19.
- **Tribes**
 - Consultation call on 7/15 with tribes on the draft EPA Plan for certification of applicators in Indian country; received comments to address. No comments received previously.
 - TPPC status of pesticides in Indian country report: Waiting for new draft from TPPC (timing TBD).
- **Tribal Consultation on the Draft EPA Plan for the Federal Certification of Applicators of Restricted Use Pesticides within Indian Country**
 - Wednesday July 15th was the third (and final) tribal consultation on the draft EPA Plan for the Fed Cert Plan
- **Navajo Nation COVID-19 Water Access Mission**
 - Amanda Hauff (OSCP) is lead on the inquiry and working directly with AD, with FEAD being kept looped in.
 - Indian Health Services (IHS) is working with OPP, Office of Water, and other federal partners to address critical needs to provide access to clean water in Navajo Nation to combat COVID-19. As a part of this effort, IHS requested OCSPP's assistance to provide guidance on the emergency disinfection use of an EPA-registered pesticide product, Aquatabs, to chlorinate water sources.
 - AD is taking the lead for OPP and recently provided OW a list of EPA-registered products for emergency water disinfection to explore other products that may also be used. These products are formulated with sodium hypochlorite (453 products), calcium hypochlorite (98 products), chlorinated isocyanurates (31 products) and iodine (8 products). In addition, Medentech submitted a fast-track label amendment to AD on 6/26/20 for EPA Reg. No. 71847-4 to AD in order to add additional use directions.

Scheduled Meetings & Calls

- August 24-27, 2020: Compliance & Enforcement Management PREP (online)
- August TBD: community visit virtual tour – Florida (to replace the cancelled 1-day March trip, hosted by Farmworker Association of Florida)
- August 26, 2020: NPIC virtual site visit coordination call
- September 14–17, 2020: Comprehensive Combo PREP (Davis, CA) (rescheduled from March)
- September 21–22, 2020: SFIREG Joint Working Committees Meeting (TBD)
- September 28, 2020: Basic Inspector Training PIRT Savannah, GA
- Oct 2020 (TBD) Region 3 FIFRA Inspectors Workshop
- October 2020: NPIC virtual site visit
- October 20-22, 2020: Senior Executive Program Management PREP (Davis, CA)
- November 16-19, 2020: Registration & Re-evaluation PREP (Arlington, VA; rescheduled from May)
- December 7–8: Full SFIREG Meeting (Arlington, VA)

Re-Inventing FEAD

- Next FEAD All Hands on 7/15/20

A-3 Project Proposal

- CPARD (survey development underway; target reduction for FY20 accepted; delays due to COVID-19 impacts)

Personnel

- CWPB - Meleia Egger onboarded 7/21

Jacqueline E. Mosby, MPH

Director, Field & External Affairs Division

Office of Pesticide Programs

U.S. Environmental Protection Agency

Phone: 703-308-2226, Cell: 202-999-9784, Fax: 703-305-6244

1200 Pennsylvania Avenue, N.W.

Mailstop: 7506P

Washington, DC 20460

Mosby.jackie@epa.gov